

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

MICHAEL WAYNE WOODALL, JR.  
ADC # 157639

PLAINTIFF

v.

4:14CV00617-KGB-JJV

MIKE BEEBE, Governor,  
State of Arkansas; *et al.*

DEFENDANTS

**PROPOSED FINDINGS AND RECOMMENDATIONS**

**INSTRUCTIONS**

The following recommended disposition has been sent to United States District Judge Kristine G. Baker. Any party may serve and file written objections to this recommendation. Objections should be specific and should include the factual or legal basis for the objection. If the objection is to a factual finding, specifically identify that finding and the evidence that supports your objection. An original and one copy of your objections must be received in the office of the United States District Court Clerk no later than fourteen (14) days from the date of the findings and recommendations. The copy will be furnished to the opposing party. Failure to file timely objections may result in waiver of the right to appeal questions of fact.

If you are objecting to the recommendation and also desire to submit new, different, or additional evidence, and to have a hearing for this purpose before either the District Judge or Magistrate Judge, you must, at the time you file your written objections, include the following:

1. Why the record made before the Magistrate Judge is inadequate.
2. Why the evidence to be proffered at the new hearing (if such a hearing is granted) was not offered at the hearing before the Magistrate Judge.
3. The details of any testimony desired to be introduced at the new hearing in the form

of an offer of proof, and a copy, or the original, of any documentary or other non-testimonial evidence desired to be introduced at the new hearing.

From this submission, the District Judge will determine the necessity for an additional evidentiary hearing. Mail your objections and "Statement of Necessity" to:

Clerk, United States District Court  
Eastern District of Arkansas  
600 West Capitol Avenue, Suite A149  
Little Rock, AR 72201-3325


**DISPOSITION**

Pending before the Court is Plaintiff's Motion to Dismiss (Doc. No. 6). Pursuant to his Motion, Plaintiff seeks to voluntarily dismiss the immediate action. (*Id.*). For good cause shown, the Court recommends that Plaintiff's Motion be granted.

IT IS THEREFORE RECOMMENDED that:

1. Plaintiff's Motion to Dismiss (Doc. No. 6) be GRANTED.
2. This action be DISMISSED without prejudice.

Dated this 10th day of November, 2014.

  
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JOE J. VOLPE  
UNITED STATES MAGISTRATE JUDGE